

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Inventor(s) : Katsutomo Terashima *et al.*
Serial Number : 09/434,024
Filed : November 4, 1999
For : EXCIMER LASER DEVICE AND GAS FOR EXCIMER
DEVICE
Examiner : Cornelius H. Jackson
Group Art Unit : 2881

TRANSMITTAL OF APPEAL BRIEF

Honorable Commissioner
of Patents and Trademarks
Washington, D.C. 20231

October 12, 2004

Dear Sir:

Appellant's Brief is attached hereto in triplicate, one original and two copies, in connection with the above-identified application. A Notice of Appeal was filed in this application on June 10, 2004, and a Petition for a Two-Month Extension of Time is attached hereto, making the attached Appeal Brief due on or before October 10, 2004. Since October 10, 2004, was a Sunday and October 11, 2004, was a national holiday, namely, Columbus Day, the attached Appeal Brief can be timely filed on the next business day, October 12, 2004.

A check in the amount of \$340.00 (THREE HUNDRED FOURTY DOLLARS) for the filing of the attached brief as required under 37 C.F.R. § 1.17(c) is attached hereto.

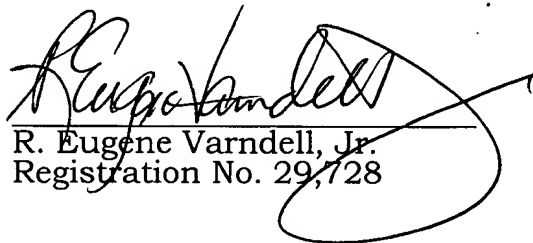
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In the event that this paper or the attached Appeal Brief is not timely filed, applicant hereby petitions for an appropriate extension of time, the Commissioner is hereby authorized to charge the fee therefor, as well as any deficiency in the payment of the required fee(s) or credit any overpayment, to our Deposit Account No. 22-0256.

Respectfully submitted,
VARNDELL & VARNDELL, PLLC
(formerly Varndell Legal Group)



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